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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Barbas III et al.**

Serial No.: 09/586,625

Filed: June 2, 2000

For: **LIGAND ACTIVATED TRANSCRIPTIONAL  
REGULATOR PROTEINS**

Art Unit: 1646

Examiner: Murphy, J.

CERTIFICATE OF MAILING BY  
"EXPRESS MAIL"

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EL870636541US

Date of Deposit January 29, 2002

I hereby certify that this paper is being deposited  
with the United States Postal "Express Mail Post  
Office to Addressee" Service under 37 C.F.R.  
§1.10 on the date indicated above and addressed  
to:

Commissioner for Patents  
Washington, D.C. 20231

*Kelly Fischer*  
Kelly Fischer

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN  
ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This Supplemental Information Disclosure Statement is filed pursuant to 37 C.F.R. §1.97(c) and includes a certification in accordance with 37 C.F.R. §1.97(e). The certification applies to all references listed on Form PTO-1449 (1 page), provided herewith. If no proper payment is enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98.

The enclosed references were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the attached Supplemental Information Disclosure Statement. Form PTO-1449 (1 page), copies of the cited documents, and a copy of the communication, the Written Opinion for the international application PCT/EP 00/10430, are provided

**U.S.S.N 09/586,625**  
**Barbas III et al.**  
**Supplemental IDS**

herewith and are in the English language. No item of information contained in this Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application, nor to the knowledge of the applicant's representative, after making reasonable inquiry, was any item of information contained in this Form PTO-1449 known to any individual designated in §1.56(c) more than three months prior to the filing of this statement. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and they be made of record in the file history of the above-captioned application.

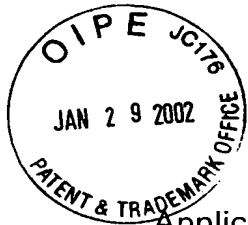
\* \* \*

Respectfully submitted,  
HELLER EHRMAN WHITE & McAULIFFE LLP

By:

  
Stephanie Seidman  
Registration No. 33, 779

Attorney Docket 22908-1227B  
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Kelly Fischer

**STATEMENT FOR SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
IN ACCORDANCE WITH 37 C.F.R. § 1.97(e)**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

1) This Statement is being made for the Supplemental Information Disclosure Statement accompanying this Statement.

2) I, Stephanie Seidman, certify that each item of information contained in the accompanying Supplemental Information Disclosure Statement was cited in a communication dated November 28, 2001, from the International Preliminary Examination Authority in connection with PCT International Patent Application No. PCT/EP 00/10430, which claims priority to U.S. Application Serial No. 09/586,625. Thus, each item of information was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the attached Supplemental Information Disclosure Statement.

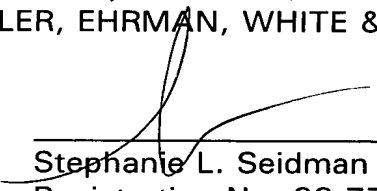
**U.S.S.N 09/586,625**  
**Barbas III et al.**  
**STATEMENT**

3) The person making this Statement is an attorney of record in the above-captioned application and signs below on the basis of information in the attorney's file.

\* \* \*

Respectfully submitted,  
HELLER, EHRMAN, WHITE & McAULIFFE

By:

  
Stephanie L. Seidman  
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Attorney Docket 22908-1227B  
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*Kelly Fischer*  
Kelly Fischer

**TRANSMITTAL LETTER**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, certification statement, PTO-Form 1449 (1 page) and cited references for filing in connection with the above-identified application. Should it be determined that a fee is due, the Commissioner is authorized to charge deposit account No. 50-1213, for the appropriate fee as stated below:

- ☒ The Commissioner is hereby authorized to charge any fee, including any submitted herewith that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

\* \* \*

Respectfully submitted,  
HELLER, EHRMAN, WHITE & McAULIFFE

By: *Stephanie L. Seidman*  
Stephanie L. Seidman  
Registration No. 33,779

Attorney Docket 22908-1227B  
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